

## **REMARKS**

The Office Action mailed March 16, 2006 has been received and the Examiner's comments carefully reviewed. Claims 28 and 29 have been added. Claims 1-9 and 20-29 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

### **Rejections Under 35 U.S.C. §102**

The Examiner rejected claims 1-6, 8, 9, 20-23, 26 and 27 under 35 U.S.C. §102(b) as being anticipated by Zetena (U.S. Patent 5,316,244). Applicants respectfully traverse this rejection.

Independent claims 1, 2, and 20 recite a method of assembling a cable routing system. The method includes connecting first and second trough sections of a telescoping trough to first and second end members. The first and second trough sections remain freely slideable upon disconnecting at least one of the first and second trough sections from the respective first and second end members.

With respect to the attached FIG. 19 of Zetena, the Examiner has characterized one of the telescope members 15A as a first trough section, and the other telescope member 15B in combination with a channel member 5 as a second trough member. The Examiner notes that terminal ends of the first and second telescope members 15A, 15B are connected to corner connectors 109, 115.

With this particular characterization, it is respectfully submitted that the first telescope member 15A and the channel member 5 do not remain freely slideable upon disconnecting at least one of the first telescope member 15A and the second telescope member 15B from the corner connectors 109, 115, as required by claims 1, 2 and 20.

In particular, Zetena specifically discloses that a raceway is installed by sliding a telescope member 15 over adjacent ends of channel members 5. Once the length is set, the members 15, 5 are locked in place against further sliding movement by pressing locking clips 25 over the respective lips of the telescope and channel members 15, 5. Column 3, lines 12-28. With the members "locked in place," the first telescope member 15A and the channel member 5 do not remain freely slideable upon disconnecting either of the first and

second telescope members 15A, 15B from the corner connectors 109, 115. In sharp contrast, when one of the telescope members 15A, 15B is disconnected from the corner connectors 109, 115, the first telescope member 15A and the channel member 5 remain locked in place and are not freely slideable, as required by claims 1, 2, and 20.

To establish a proper basis for a rejection under 35 U.S.C. §102, the cited reference must disclose each and every limitation recited in the claim. Zetena not only fails to disclose trough sections that remain freely slideable upon disconnection from an end member, Zetena teaches away from the recited limitation of claims 1, 2, and 20.

At least for this reason, Applicants respectfully submit that independent claims 1, 2 and 20, and dependent claims 3-6, 8-9, 21-23, and 26-27 are patentable.

With regards to claim 20, claim 20 further recites that sliding movement of the first and second trough sections is limited between a minimum extension position and a maximum extension position to prevent separation.

Referring again to FIG. 19 of Zetena, a first set of locking clips 25A is utilized to lock together the first telescope member 15A and the corner connector 115. A second set of locking clips 25B is utilized to lock together the first telescope member 15A and the channel member 5. Claim 20 requires that sliding movement of the first and second trough sections be limited between a minimum extension position and maximum extension position. While the Examiner notes that the locking clips 25[B] lock the trough members 15A, 5 in place, this does not meet the requirements that the members be in sliding contact and that the sliding movement be limited between a minimum extension position and a maximum extension position. In contrast, the locking clips 25B prevent sliding contact and prevent any sliding movement, as opposed to limiting sliding movement between two positions.

The Examiner further notes that the locking clips 25[A], 25[B] can be considered stops. The locking clips again do not limit sliding movement between a minimum extension position and a maximum extension position; rather, the locking clips prevent sliding movement all together. Moreover, Zetena teaches away from the Examiner's suggestion that the locking clips 25B can be used as stops to limit the sliding movement between the trough member 15A and the channel member 5. In particular, Zetena teaches that "there should be **no obstruction to the sliding movement** on either the channel members or the

telescope members" " [s]o that the degree of telescoping **is not limited**", column 3, lines 16-20. This teaching is in direct contrast to the Examiner's assertion that the locking clips can serve to provide a minimum extension position and a maximum extension position. Applicants submit that it is impermissible to broaden the disclosure of Zetena as the Examiner proposes.

At least for these reasons, and the reasons stated above with respect to all independent claims 1, 2, and 20, Applicants respectfully submit that independent claim 20, and dependent claim 21-23 and 26-27 are patentable.

### **Rejections Under 35 U.S.C. §103**

The Examiner rejected claims 7, 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over Zetena (U.S. Patent 5,316,244) in view of Merckle (U.S. Patent 3,351,699). Applicants respectfully traverse this rejection.

Claim 7 depends upon claim 2. Claims 24 and 25 depend upon claim 20. In view of the remarks regarding independent claims 2 and 20, further discussion regarding the independent patentability of dependent claims 7, 24 and 25 is believed to be unnecessary. Applicants submit that dependent claims 7, 24, and 25 are in condition for allowance.

### **New Claims 28 and 29**

Support for new claims 28 and 29 is found in the specification, for example, on page 6 at lines 5-8 and lines 25-26. New claim 28 depends upon claim 1. New claim 29 depends upon claim 2. At least for the reasons discussed above with regards to independent claims 1 and 2, Applicants respectfully submit that dependent claims 28 and 29 are patentable.

### SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 1-9 and 20-29) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct.

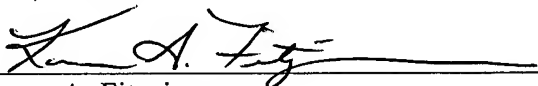
Applicants reserve the right to raise these arguments in the future.



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Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

  
Karen A. Fitzsimmons  
Reg. No. 50,470  
KAF:cjc